

### REMARKS

This responds to the Office Action dated January 13, 2009.

Claims 22 and 31 are amended, no claims are canceled, and no claims are added; as a result, claims 2-10, 12-14, 17-19, 22-13, and 29-31 remain pending in this application.

#### Examiner Interview

Applicants thank the Examiner for the interview conducted on March 16, 2008. In the course of the interview, in response to a request for Examiner amendment, the Examiner suggested that the amendments are submitted in this response to the Office Action.

#### § 112 Rejection of the Claims

Claims 22 and 31 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 22 and 31 were amended to address the indefiniteness rejection. Specifically, claims 22 and 31 were amended to clarify that a scheduling system provides the control signals; and that these control signals include data identifying each broadcast program and its duration. It is respectfully requested that the rejection be withdrawn.

#### Allowable Subject Matter

Claims 29-30 were allowed. Applicants thank Examiner for allowing claims 29-30

Claims 2-10, 12-14, 17-19 and 23 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As explained above, claim 22 was amended such as it is not indefinite and is allowable. Therefore, claim 22 and its dependent

claims 2-10, 12-14, 17-19 and 23 are patentable and should be allowed. It is respectfully requested that the objection of claims 2-10, 12-14, 17-19 and 23 be withdrawn.

Serial Number: 09/333,724

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Title: AUTOMATIC CONTROL OF BROADCAST AND EXECUTION OF INTERACTIVE APPLICATIONS TO MAINTAIN  
SYNCHRONOUS OPERATION WITH BROADCAST PROGRAMS

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**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4052 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on ~~March 31, 2009~~ *April 1, 2009*

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